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Separate paging is given to this Part in order that it may be filed as a separate compilation.

## PART III—SECTION 1

Notifications Issued by the High Courts, the Comptroller and Auditor General, the Union Public Service Commission, the Indian Government Railways, and by Attached and Subordinate Offices of the Government of India.

### THE PATENT OFFICE

#### NOTIFICATION

Calcutta, the 9th October 1952

No. 38/90/52-Admn.—Shri Mooliyil Raghavan has been appointed as an Examiner of Patents on probation for two years with effect from the forenoon of the 9th October 1952.

K. SESHAGIRI RAO,  
Controller of Patents & Designs.

### UNION PUBLIC SERVICE COMMISSION

#### NOTIFICATION

New Delhi, the 6th October 1952

No. F.1/27/52-Ests.—Dr. (Mrs.) Bina Chatterjee, Under Secretary in the Ministry of Education, is appointed to the post of Under Secretary, Union Public Service Commission (Central Secretariat Service Grade I) with effect from the forenoon of the 3rd October, 1952.

D. C. DAS,  
I.C.S.,  
Secretary,  
Union Public Service Commission.

### OFFICE OF THE CONTROLLER OF PRINTING AND STATIONERY

#### NOTIFICATION

New Delhi, the 10th October 1952

No. 1/29/52-A(I).—Shri N. Visvanathan, officiating Assistant Controller, Printing, and a Protected Officer in terms of para. 5(6) of the Ministry of Home Affairs Office Memorandum No. 1/25/52-CS., dated the 17th June 1952, has been granted earned leave for 69 days from 15th September, 1952 to 22nd November 1952 (both days inclusive), with permission to prefix Sunday, the 14th September 1952 and suffix Sunday, the 23rd November 1952 to his leave.

2. On the expiry of his leave Shri N. Visvanathan will be appointed to the same post.

C. A. SUBRAHMANYAM,  
Controller of Printing and Stationery,  
India.

### REHABILITATION FINANCE ADMINISTRATION

#### NOTIFICATIONS

New Delhi, the 10th October 1952

No. RFA/Sect.12129.—In exercise of the powers conferred by Clause (e) of sub-section (2) of Section 24 of the

Rehabilitation Finance Administration Act, 1948 (XII of 1948), the Administration has with the sanction of the Central Government as contained in their Ministry of Finance letter No. F.10(32)-F.1/52 dated the 4th October, 1952, made the following further amendment to the Rehabilitation Finance Administration General Regulations :—

“For the word ‘Seven’ occurring in Regulation 18 the word ‘five’ shall be substituted”.

By order of the  
Rehabilitation Finance Administration  
V. P. GUPTA,  
Secretary.

New Delhi, the 10th October 1952

No. RFA/Sect.12131.—In exercise of the powers conferred by Clause (e) of sub-section (2) of section 24 of the Rehabilitation Finance Administration Act, 1948 (XII of 1948), the Administration has, with the sanction of the Central Government as contained in their Ministry of Finance letter No. D.4607-F.1/52 dated the 29th September, 1952, made the following further amendment to the Rehabilitation Staff Regulations :—

For Clause (d) of Regulation 13 of the said Regulations the following clause shall be substituted, namely :—

“(d) Leave without pay—if any employee has exhausted all the leave due to him the Administration may, in cases of urgent and real necessity, grant him, at its discretion, leave without pay not exceeding 3 months in ten years’ service. The period of such leave shall not count for purposes of increments and gratuity.”

By order of the  
Rehabilitation Finance Administration  
V. P. GUPTA,  
Secretary.

### DEPARTMENT OF EXPLOSIVES

#### NOTIFICATION

New Delhi, the 4th October 1952

No. G-15(48)-1.—Shri A. K. Ohdedar, M.Sc., (Tech.) M.S. (U.S.A.) relinquished charge of the office of the Assistant Inspector of Explosives, East Circle, Calcutta on the afternoon of the 15th September, 1952 and took over charge of the office of the Assistant Inspector of Explosives, North Circle, Agra with effect from the forenoon of the 22nd September, 1952.

M. K. MAITRA,  
Chief Inspector of Explosives in India.

**INDIAN AUDIT AND ACCOUNTS DEPARTMENT****Leave and Appointments****NOTIFICATIONS***New Delhi, the 7th October 1952*

**No. 4565-GE/47-52.**—Shri A. P. Bhalla, a member of the S.A.S. in the office of the Comptroller, Saurashtra, Rajkot, has been appointed to officiate as an Assistant Accounts Officer in the same office with effect from the 28th April, 1952, until further orders.

**No. 4682-GE/171-52.**—Mr. T. B. Nagarajan, a probationer in the Indian Audit and Accounts Service, has been confirmed in the junior scale of class II of the Indian Audit and Accounts Service with effect from the 8th March, 1952.

**Mr. P. K. Ganapathi**, a probationer in the Indian Audit and Accounts Service, has been confirmed in the junior scale of class II of the Indian Audit and Accounts Service with effect from the 9th March, 1952.

**Mr. S. P. Mehta**, a probationer in the Indian Audit and Accounts Service has been confirmed in the junior scale of class II of the Indian Audit and Accounts Service with effect from the 1st April, 1952.

**No. 4684-GE/171-52.**—Mr. N. R. Banso, an officer of the Indian Audit and Accounts Service (on probation) has been confirmed in the junior scale of class II of the Indian Audit and Accounts Service with effect from the 21st March, 1952.

**No. 4687-GE/S-39/PF.**—On return from leave, Shri V. T. Sreenivasan, an officer of the Indian Audit and Accounts Service, has been appointed to officiate, until further orders, in the Comptroller's grade and posted as Chief Auditor, Central Railway, Bombay, with effect from the 19th September, 1952.

**No. 4689-GE/P-5/PF.**—On transfer, Shri T. C. Puri, an officer of the Emergency Cadre of the Indian Audit and Accounts Service, has been posted as Examiner Outside Audit Department, Punjab, with effect from the 20th September, 1952.

**No. 4702-GE/38-52.**—Shri M. R. Dutta, a member of the Subordinate Accounts Service, Supply Audit Branch, has been appointed to officiate as Assistant Accounts Officer in the Office of the Accountant General, Food, Rehabilitation and Supply, New Delhi, with effect from the 6th September, 1952 (A.N.) until further orders.

**No. 4704-GE/38-52.**—Shri Behari Lal, a member of the S.A.S. Supply Audit Branch, has been appointed to officiate as Assistant Accounts Officer, in the office of the Accountant General, Food, Rehabilitation and Supply, New Delhi, with effect from the 3rd September, 1952 until further orders.

**No. 4706-GE/40-52.**—Shri N. N. Mukherjee, a member of the S.A.S. Posts & Telegraphs Audit Branch has been appointed to officiate, until further orders, as Assistant Accounts Officer, in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi with effect from the 27th August, 1952.

**Shri S. N. Das**, an officiating Assistant Accounts Officer in the office of the Deputy Accountant General, Posts and Telegraphs, Delhi, has been posted in the same capacity, to the office of the Deputy Accountant General, Posts and Telegraphs, Kapurthala with effect from 1st September, 1952, until further orders.

**No. 4708-GE/Kw.11-52.**—On return from leave, Shri M. L. Kala, an officer of the Indian Audit and Accounts Service, has been appointed to officiate, until further orders, in the senior scale of class II of the Indian Audit and Accounts Service and posted as Deputy Accountant General II in the office of the Accountant General, Rajasthan, with effect from the 6th September, 1952.

**No. 4721-GE/K-15/PF.**—Shri R. K. Khanna, an officer of the Indian Audit and Accounts Service has been granted extension of earned leave for 26 days with effect from the 5th September, 1952.

**No. 4728-GE/41-52.**—Shri G. P. Sharma, a member of the Subordinate Railway Audit Service has been appointed to officiate until further orders as Assistant Audit Officer in the office of the Chief Auditor, Western Railway at Bhavnagar, with effect from the 26th July, 1952.

**No. 4730-GE/41-52.**—Shri B. S. Gupta, a member of the Subordinate Railway Audit Service, has been appointed to officiate as Assistant Audit Officer in the office of the Chief Auditor, Eastern Railway, with effect from the 25th August, 1952 until further orders.

**No. 4732-GE/41-52.**—On return from leave Shri D. B. Chawla, an Assistant Audit Officer is posted in the same capacity in the office of the Director of Railway Audit with effect from the 6th September, 1952 (A.N.).

**No. 4781-GE/S-12/PF.**—Shri S. P. Saksena, an officer of the Indian Audit and Accounts Service, has been granted earned leave for 16 days with effect from the 1st October, 1952, with permission to prefix Sunday, Dusshera and Muharrum holidays from 28th September, 1952 to 30th September, 1952 and to affix Diwali holidays and Sunday from the 17th October, 1952 to 19th October, 1952, respectively.

**P. D. PANDE,***Deputy Comptroller and Auditor General.***MINISTRY OF LABOUR****Office of the Chief Labour Commissioner (Central)****NOTIFICATIONS***New Delhi, the 6th October 1952*

**No. CLC-14(124)/Adm.**—Shri Rabindra Nath, Labour Inspector (Central), Allahabad, relinquished charge of office on the afternoon of 30th June 1952 on the termination of his services. He is granted terminal (earned) leave for 13 days with effect from 1st July 1952 to 13th July 1952 (both days inclusive).

**L. C. JAIN,***I.C.S.,**Chief Labour Commissioner (Central).***Regional Directorate of Resettlement & Employment***Bombay, the 7th October 1952*

**No. RE/48(12)/3855.**—Leave on average pay for a period of twenty three days is granted to Shri M. T. Gulrajani, Deputy Director of Resettlement & Employment, Bombay, with effect from 3rd October 1952 to 25th October 1952 (both days inclusive) with permission to prefix holidays on 1st and 2nd October 1952 and suffix Sunday, the 26th October 1952. He will resume the same post on expiry of his leave.

**E. FRANCIS,***Regional Director of Resettlement & Employment,  
Bombay.**Madras-6, the 8th October 1952*

**No. L.Dis.25575/52.**—Kumari V. V. Arundathi, Deputy Regional Employment Officer, Regional Employment Exchange, Madras was granted earned leave from 13th August 1952 to 16th August 1952 with permission to suffix the holiday on 17th August 1952. She was again granted earned leave for 12 days from 19th August 1952 to 30th August 1952 with permission to suffix the holidays on 31st August 1952 and 1st September 1952. She rejoined duty on the forenoon of 2nd September 1952 on the expiry of her leave.

**S. A. QADIR,***Regional Director of Resettlement,  
and Employment.**New Delhi, the 9th October 1952*

**No. RDA-1(20).**—Shri S. L. Dang, Regional Employment Officer, Regional Employment Exchange, Delhi, was granted earned leave for one day on the 11th December, 1951. Shri Dang resumed duty on the forenoon of the 12th December, 1951.

**K. B. SHARMA,***Regional Director.  
Delhi, Ajmer and Rajasthan.**Simla-4, the 9th October 1952*

**No. E-187.**—Shri S. K. Mishra Assistant Inspector of Training posted in Assistant Director of Training's Office Simla is granted 30 days earned leave with effect from 13th October 1952 with permission to prefix 12th October, 1952 (being Sunday). Shri Mishra is expected to resume duties as Assistant Inspector of Training at Simla at the expiry of the leave period.

**G. R. NAGAR,***Regional Director.*

## LABOUR APPELLATE TRIBUNAL OF INDIA

## NOTIFICATIONS

Calcutta, the 2nd September 1952

No. LA.4(3)II/1648/52.—By virtue of the powers conferred on it by sub-section (10) of Section 9 of the Industrial Disputes (Appellate Tribunal) Act 1950 (Act XLVIII of 1950) and with the previous sanction of the Central Government, the Labour Appellate Tribunal of India is pleased to make the following rules for the preservation and destruction of the records, viz. Order V.

1. The records of the Tribunal shall be divided into three parts :

Part I shall consist of :

- (i) Order Sheet ;
- (ii) The Memorandum of Appeal or Petition with enclosures, if any ;
- (iii) Affidavits or Order appealed against, with enclosures, if any ;
- (iv) Authorization in favour of persons appearing on behalf of parties ;
- (v) The Award or Order appealed against with enclosure, if any ;
- (vi) The decision of the Appellate Tribunal.

Part II shall consist of :

- (i) Copies of letters calling for records ;
- (ii) Copies of correspondence, if any, regarding removal of defects or supply of deficiencies ;
- (iii) Copies of notices issued and post office receipt and acknowledgements in respect thereof or, where service takes place otherwise than through the Post Office, report of service of notice ;
- (iv) A note sheet containing a chronological record of all steps taken in connection with the case.

Part III shall consist of spare sets of papers, and papers put in by parties during the hearing of an appeal or other proceeding and not taken back at the conclusion of the hearing.

2. Part I shall be preserved for ever.

Part II and III shall be destroyed after 3 years from the final disposal of the case.

Provided that before Part III is destroyed, the party concerned is notified that if he so desires he may take back within a month from the receipt of the notice any papers filed by him during the hearing and not taken back at its conclusion, and that if not taken back they will be destroyed after the expiry of the said period of one month.

By order of the Tribunal,

C. J. S. BINDRA,

Registrar,

Labour Appellate Tribunal of India.

Calcutta, the 4th October 1952

No. LA.1(4)/1678/52.—The following administrative order made under Rule 4(I) of the Industrial Disputes (Appellate Tribunal) Rules 1951, is published for general information.

## Administrative Order

In exercise of the powers conferred on me by Rule 4(I) of the Industrial Disputes (Appellate Tribunal) Rules 1951, I hereby, with the approval of the Chairman, authorise Shri V. C. Jain, Deputy Registrar, Labour Appellate Tribunal of India, to receive memoranda of appeals and applications from the States mentioned below, at his headquarters in Calcutta, and at such other places as he may be visiting for the time being :

Uttar Pradesh,  
Punjab,  
Pepsu,  
Delhi,  
Rajasthan,  
Ajmer,  
Vindhya Pradesh,  
Himachal Pradesh,  
Madras, Mysore and Travancore-Cochin.

C. J. S. BINDRA,

Registrar,

Labour Appellate Tribunal of India.

Calcutta, the 6th October 1952

No. LA.1(4)/1648/52.—In pursuance of Section 8(3) of the Industrial Disputes (Appellate Tribunal) Act, 1950 (No. XLVIII of 1950) it is hereby notified that a Bench of the Labour Appellate Tribunal of India consisting of Shri G. P. Mathur, President and Shri L. K. Jha, Member will sit at Rajbhawan, Allahabad to hear Appeals on and from the 6th October, 1952.

J. N. MAJUMDAR,

Chairman,

Labour Appellate Tribunal of India.

Appeal (Bom.) No. 332 of 1951

Lallubhai Amichand Ltd.

Appellant.

Versus

Govind Genu Tikule.

Respondent.

Appeal (Bom.) No. 334 of 1951

The workmen employed under M/s. Lallubhai Amichand Ltd., Tardeo, Bombay, in their The Dun Aluminium Factory, represented by the National Engineering Workers' Union, Mazdoor Manzil, 25, Government Gate Road, Parel, Bombay 12.

Appellants.

Versus

1. The Lallubhai Amichand Ltd., 225/27, Tardeo, Tardeo Road, Bombay.

2. The workmen not represented by the Appellants.

Respondents.

In the matter of appeals against the award of the Industrial Tribunal (Shri S. H. Naik), Bombay, in Reference (IT) No. 109 of 1951, dated the 11th October 1951.

The 19th day of September 1952.

PRESENT :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

Appearances :

For the Appellants in Apl. (Bom.) No. 332/51 and for Respondent No. 1 in Apl. (Bom.) No. 334/51.—Mr. B. J. Kapadia, Advocate with Mr. M. N. Mehta of M/s M. B. Chothia & Co., Solicitors.

For the Respondent in Apl. (Bom.) No. 332/51 and for the Appellants in Apl. (Bom.) No. 334 of 1951.—Mr. C. L. Dudhia, Barrister-at-Law instructed by Mr. Anant D. Sawant, Secretary, National Engineering Workers' Union.

For Respondent No. 2 in Apl. (Bom.) No. 334/51.—No appearance.

State.—Bombay.

Industry.—Minerals and Metals (Aluminium).

## DECISION

These are two appeals filed by the employers and the union respectively against an award of the Industrial Tribunal, Bombay, concerning a workman by name Govind Genu Tikule. The short facts are not in dispute.

2. Tikule was granted one month's leave on 27th March 1950. On 25th April 1950 he wrote a letter requesting the company to grant him an extension of leave by 15 days on the ground that a case was pending against him in the Court which he had to attend and also because he had to effect certain repairs to his house. That registered letter reached the company on 26th April. The employee contends that he did not receive any reply to his letter, but the company states that on the 1st May they wrote to him refusing to grant extension of leave and intimating that if he did not join duty immediately his services would be terminated. His services however were not terminated until after he presented himself for work on the 13th May when he was informed that his services had been terminated. The Adjudicator took the view that if the employee was technically at fault in not making inquiries as to whether extension of leave had been sanctioned the company was equally to blame for not having sent a negative reply to him in time. The question whether their letter of the 1st May 1950 was ever sent by the company was assumed by the Adjudicator to be in doubt and the point has not been pressed before us by the concern. The Adjudicator further took the view that he would be doing substantial justice by directing the company to pay half the amount of gratuity to which the employee would be entitled under the agreement of 23rd July 1949 made collectively between the company and its

employees. The employers in their appeal contend that no gratuity should have been awarded, whereas the employees by their appeal contend that full gratuity should have been directed to be paid.

3. There cannot be any doubt that the employee was at fault. Even assuming that he considered that 15 days' extension of leave had been granted to him, he was still late when he returned to duty on the 13th May. He was informed after he resumed work that his services had been terminated and no inquiry was held on an allegation of misconduct or neglect of duty. The model standing orders were not relied upon even before the Tribunal and the employee had put in 25 years' continuous service in the business.

4. According to the agreement on the subject of gratuity (Ex. B-4), on voluntary retirement or resignation a worker would be entitled to gratuity at the rate of one month's salary per each year's service provided that he had completed a minimum of 15 years continuous service, limited to a maximum of 15 months' salary. On termination of service by the company, if the workman had served the management for more than 10 years but less than 15 years he should be paid 3/4th of his monthly salary for each year of his service. But after 15 years' continuous service with the management the workman is to be paid one month's salary for each year of service upto a maximum of 15 months. Gratuity would not be paid to an employee dismissed for dishonesty, misconduct or negligence of duty. In this case the company did not terminate the services of the employee because of dishonesty or misconduct, and negligence of duty in the context of the agreement must necessarily mean some neglect of work other than mere absence from duty. If it was a case of negligence of duty then the employer would in the ordinary course be required to frame charges and come to a finding as to the employee's guilt, but no such charge sheet was given or inquiry made.

5. The employers have contended that they cannot be saddled with the responsibility for paying gratuity for the past services of the employee with the predecessors of this company, and they also contend that the scheme of gratuity envisages that the computation of gratuity shall commence from the date of the agreement which is 23rd July 1949. There is no substance in either of these contentions. This company is the successor of the previous firm and must accept responsibility in matters of gratuity for the past services of the employees with that concern; there was no break in service and employment continued with the successor firm; and as to the contention that the computation for gratuity should start from the date of agreement, there is nothing in the agreement itself to indicate it, and in the normal course the employees are entitled to the benefit of their past services with the previous firm in the computation of gratuity.

6. The only question for consideration therefore is whether the employee upon his termination of services by the company is entitled to the full gratuity allowable under the agreement. Before us the employers rely upon Model Standing Order No. 9 which concerns leave. It says that if the workman after proceeding on leave desires an extension thereof he shall apply to the manager who shall send a written reply either granting or refusing extension of leave to the workman if his address is available and if such reply is likely to reach him before the expiry of the leave originally granted to him. As to this provision, the employee applied on the 25th which was just a day before his leave was due to expire and the management did not send a reply immediately, although it may be true that a reply, if sent, might not have reached the employee before the expiry of the original leave. It is however the company's case that a letter was sent on the 1st May refusing leave and asking the employee to report for duty, but there does not appear to be any satisfactory evidence in support of it. Model Standing Order No. 9 further states that if the workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on his appointment unless he (a) returns within 8 days of the expiry of the leave and (b) explains to the satisfaction of the manager his inability to return before the expiry of his leave. In case the workman loses his lien on his appointment, he shall be entitled to be kept on the 'badli' list. The company, however, terminated his services from 13th May, and in the circumstances of the case upon termination of his services the employee would be entitled to 15 months' gratuity, and we hold accordingly.

7. The company's appeal is dismissed, and the Union's appeal is allowed as stated above.

(Sd.) K. P. LAKSHMANA RAO,  
President.

(Sd.) F. JEEJEEBHAY,  
Member.

#### Appeal (Bom.) No. 335 of 1951

The Hindusthan Plastics Ltd., a Joint Stock Company having its registered office at Podar Chambers, Parsee Bazaar Street, Fort, Bombay.

Appellants.

#### Versus

(1) The workmen employed under appellants (other than the clerical staff) by the Chemical Mazdoor Sabha having its registered office at 21, Mistry Building, Parel, Bombay.

(2) The workmen employed under appellants (other than clerical staff) not represented by the Chemical Mazdoor Sabha.

Respondents.

#### Appeal (Bom.) No. 336 of 1951

Workmen employed under the Hindusthan Plastics Ltd., who are members of the Chemical Mazdoor Sabha, Mistry Bldg., No. 3, Jербai Wadia Road, Parel, Bombay 12.

Appellants.

#### Versus

(1) The Hindusthan Plastics Ltd., a Company registered under the Indian Companies Act, 1913, Ghod Bunder Road, Goregaon, Western Railway.

(2) Workmen employed under Respondent No. 1 who are not members of the Chemical Mazdoor Sabha, C/o Respondent No. 1.

Respondents.

In the matter of appeals against the award of the Industrial Tribunal (Mr. K. C. Sen), Bombay, in Reference (IT) No. 26 of 1951, published in the Bombay Government Gazette, dated the 8th November 1951.

The 22nd day of September 1952.

#### PRESENT :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

#### Appearances :

For the Appellants in Appeal No. 335 & Respondent No. 1 in Appeal No. 336 of 1951.—Mr. Tanubhai D. Desai, Solicitor. Also Mr. D. B. Tilak, Advocate.

For the Appellants in Appeal No. 336 and Respondent No. 1 in Appeal No. 335 of 1951.—Mr. P. D. Kamekar, Advocate; Mr. P. S. Balsara, Advocate; Mr. B. R. Hatle, Secretary, Chemical Mazdoor Sabha.

For the Respondent No. 2 in both the appeals.—No appearance.

State.—Bombay.

Industry.—Plastics.

#### DECISION

These are two appeals by the employers and the workmen respectively against an award of the Industrial Tribunal, Bombay, in the matter of an industrial dispute between the Hindusthan Plastics Ltd., Bombay, and their workmen (other than the clerical staff). The reference covered questions regarding scales of pay, dearness allowance, leave, bonus, provident fund and gratuity.

2. There are 123 employees including 17 women workers. The Adjudicator states that in his opinion the minimum rates for the three categories, namely, unskilled, semi-skilled and skilled should be Rs. 1/2/6, Rs. 1/6/- and Rs. 2 per day "in view of the financial circumstances of this company". He thereafter proceeds to give scales with the following maxima for the same three categories viz., Rs. 1/10/6, Rs. 2/7/- and Rs. 5. As regards dearness allowance the Adjudicator has increased it from 66 2/3 per cent. of the textile rate to 75 per cent. of the same rate.

3. The company contends that its financial position is such that any advance upon its present wage structure would cast a burden upon the company which it would not be in a position to bear. The company was started in 1947 when it took over a private concern making plastic products. We are told that there are about 40 small concerns producing articles made of plastic in Bombay State, and that there has not yet been an adjudication in respect of any one of them. The company has however filed a list of the major of such concerns showing the wages paid by them, and the facts in that list have not been disputed. The largest of those concerns is Indian Plastics Ltd., Bombay (Birlas), which pays Rs. 2/2/- including dearness

allowance to the unskilled. Universal Plastic Products also pay Rs. 2/2/- including dearness allowance, whereas the Dominion Plastic Industries and Rubeco Industries, Bombay, each pay 2 including dearness allowance. Great India Plastics pay Rs. 1/4/- and Oriental Plastics Rs. 1/8/- including dearness allowance. The company before us pays Re. 1 plus 2/3rds dearness allowance of the textile scale which amounts to Rs. 2/6/- per day or Rs. 61/12/- per month of 26 days. According to the award made the total emoluments of the unskilled would rise from Rs. 61/12/- to Rs. 78 and that together with other increases would impose an additional burden on the company of Rs. 3,000 per month. There is no doubt that the concern before us pays the highest to its unskilled workmen among all the plastic concerns in Bombay to which our attention has been drawn. We appreciate that the basic wages and dearness allowance at present paid by the company are comparatively low, but for reasons which we shall state hereafter the total emoluments of the workers are not below the minimum level of a fair wage.

4. The financial position of the company, as shown by its balance sheets for the years 1947-48, 1949 and 1950, shows a progressive series of losses (with the exception of a small profit in 1949) which today totals Rs. 1,39,000 or thereabouts. Even the depreciation falls short of the statutory amount by about four lakhs of rupees up to the end of December 1951, and it was short by three lakhs of rupees at the end of December 1950. The managing agents have not taken any commission since the inception of the company, nor have they charged for office allowance which they were entitled to do at the rate of Rs. 1,500 a month. The shareholders have received no dividends so far. On the other hand borrowings have increased and the total liability on this account upto 1950 was Rs. 9,25,000. It is true that the company has been making larger sales, and that new machinery and moulds have been brought on the premises, but it is explained that the plastic industry is evolving and requires new types of machines for efficient production; the moulds have to be changed quite often as fashions in plastic goods alter. There is therefore a heavy depreciation as regards such moulds; nevertheless whatever depreciation has been appropriated so far has been less than the statutory depreciation as allowed by the income-tax authorities by some four lakhs of rupees. The financial position as disclosed by the balance sheets is by no means satisfactory. The company having had to borrow to the tune of nine lakhs of rupees will have to rely upon an improvement in business as to pay off its indebtedness. The Adjudicator takes the view at the date of his award, which is October 1951, that the financial position of the company was improving and he relied upon (a) additions to machinery and buildings (b) a small profit in 1949 and a small loss in 1950 (c) amounts spent on machinery and (d) sales which had been effected. He failed to observe the other side of the picture where the company had been unable to provide for depreciation as statutorily allowed, and had also had to borrow to the extent of 9 lakhs of rupees whereas its paid up capital is Rs. 10 lakhs. We find ourselves unable to agree with the Adjudicator that the financial position of the company is improving. If there was such improvement it would be reflected in the balance sheet but we see no signs of it. It is not the extent of the sales that constitute the prosperity of a firm but its economic working, and judged by that standard the company's financial position cannot be said to be improving. The company has represented to us that an additional burden of Rs. 3,000 per month as given by this award would have a crippling effect. At any rate it does appear that any addition in expenses at this juncture may result in the closing down of the factory or retrenchment, and in our view in the context of the present day circumstances we should endeavour so to maintain the wage structure that unemployment is avoided, provided of course that the workmen get at least the lower level of a fair wage. As we have said before, we appreciate that the wage structure is low, but the plain fact is that if it is raised undesirable repercussions may follow. We have examined the figures of the basic wages and dearness allowance paid by this company with a view to assuring ourselves that they provide for a fair wage. In this connection we have been referred to the reports of the Committee on minimum wages in Bombay State which had been accepted by the Bombay Government. This concern is just outside Greater Bombay, and therefore falls within Zone II, and comparing the minimum rates of wages as accepted by the Bombay Government we find that the concern before us pays more than such minimum wages. We therefore set aside the award of the Tribunal granting advanced wage scales and increased dearness allowance, but we wish to make it clear that in doing so we are moved by the consideration that if a heavier burden is placed upon the company the results to the

workmen might be unfortunate; it must be clearly understood that with an increase in the prosperity of this concern improvement of the wage structure should have priority.

5. The company has raised in this appeal the question of classification of pressmen, powder assistants, oilmen and packers who have been designated as semi-skilled and it is contended that they are really unskilled. The only one of these categories as to which we have any doubt is the 'powder assistant', but there is no sufficient indication as to what his exact duties are and as to whether he should be classified as semi-skilled as at present or as unskilled as claimed by the company. The parties were not in agreement before us as to what his duties were, and therefore we do not propose to interfere with the Adjudicator's decision on this point.

6. On the question of leave no appeal lies as no substantial question of law is involved; and as to the appeal of the employees that provident fund and gratuity should have been granted we agree with the Adjudicator that the financial position of the company makes it undesirable at the present stage to grant either of the two benefits. Appeal No. 335/51 is therefore allowed as stated above and is otherwise dismissed. Appeal No. 336 is dismissed.

(Sd.) K. P. LAKSHMANA RAO,  
President.

(Sd.) F. JEEJEEBHROY,  
Member.

#### Appeal (Bom.) No. 364 of 1951

The Ahmedabad Electricity Co. Ltd., a Company registered under the Indian Companies Act having its registered office at Killick Building, Home St., within the Fort of Bombay.

Appellants.

#### Versus

- (1) The Ahmedabad Electricity Employees union having its office at Gandhi Majur Sevalaya, Bhadra, Ahmedabad, and
- (2) Julius Jethalal Christian, clerk, Powers Samas Section,
- (3) Jacob Ramjibhai Christian, Draughtsman, on behalf of themselves and all other workmen not represented by the Ahmedabad Electricity Employees Union.

Respondents.

In the matter of an appeal against the award of the Industrial Court (Shri P. S. Bakhle, Member), in Reference (IC) No. 12 of 1951, published in the Bombay Government Gazette, dated the 22nd November 1951.

The 26th day of September 1952.

#### PRESENT :

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

#### Appearances :

For the Appellants.—Mr. S. D. Vimadala, Counsel. Also Mr. F. P. Parakh, Labour Adviser. Messrs. J. A. Colaco & A. C. B. Miller, Assts. Killick Industries Ltd., Managing Agents.

For the Respondents.—(1) Mr. Chandulal G. Shah, Secretary, Ahmedabad Electricity Employees Union, Ahmedabad.

(2) & (3).—No appearance.

State.—Bombay.

Industry.—Electricity.

#### DECISION

This is an appeal by the employers against an award of the Industrial Court, Bombay, concerning the claim of the workmen of the Ahmedabad Electricity Co. Ltd., for bonus for the year 1949. The employees claimed that they should be paid bonus equivalent to three months' wages for the year ending 30th September 1949. The Adjudicator has come to the conclusion that the Company should pay to the workmen bonus equivalent to 10 days' wages or salary in addition to the bonus of a like amount which the company had already paid. The company in this appeal contends that the workmen are not entitled to anything more than the sum of Rs. 37,020 which would be the equivalent of 10 days' wages which the company had already paid by way of bonus. The workmen however have supported before us the decision of the Adjudicator.

2. The company is governed by the provisions of the



Electricity (Supply) Act, 1948, and the question of the quantum of bonus payable by a concern governed by that Act was discussed by us in our decision in Appeals (Bom.) Nos. 294/51 and 310/51. The Bombay Suburban Electric Supply Ltd., v. their workmen (II Labour Law Journal, 1952, page 193). We need not repeat what we stated in that decision; it is clear from the enactment that the company is under an obligation to so adjust its rates for the supply of electricity and other amenities to the public, that its clear profits should not exceed the reasonable return. If the clear profits do exceed the reasonable return, and that is limited to thirty per cent. of the reasonable return, then the excess is divisible in the following manner: One-third of such excess, not exceeding 7½ per cent. of the amount of reasonable return, shall be at the disposal of the undertaking; of the balance of the excess, one-half shall be appropriated to a reserve called the Tariffs and Dividends Control Reserve; and the remaining half shall be either distributed in the form of proportional rebate to consumers or carried forward in the accounts of the licensee for distribution to consumers in the future in such manner as the Provincial Government may direct.

3. In the case now before us the excess of profits over the reasonable return amounted to approximately Rs. 1,48,000. One-third of that amount would be Rs. 49,000, and that would be at the disposal of the undertaking. The company has voluntarily paid out of this sum of Rs. 49,000 three-fourth of the amount or Rs. 37,000 (equivalent to 10 days' basic wages) as bonus for the year, retaining to itself and for the shareholders one-fourth of the amount. In the arguments before us Mr. Shah who appeared for the workmen stated it as his claim that he should be given the whole of this sum of Rs. 49,000, and this to our mind is unreasonable. The shareholders are restricted to what is called a reasonable return of 5½ per cent., and the company by law is restricted in the matter of making profits. It would be unfair in such circumstances that the whole of the one-third of excess over reasonable return should be paid out by way of bonus. In our previous decision we have already adverted to the fact that it was doubtful if bonus could be injected into the items of expenditure specified in the sixth schedule, and we are still of the same view; and it would follow that if bonus must necessarily be found from some source, in this case, the only available source is the one-third which is available to the company. Three quarters of this sum to labour by way of bonus and one-fourth for the shareholders and the company is certainly a fair distribution in the circumstances.

4. We therefore set aside the award of the Adjudicator granting additional bonus beyond what the company had voluntarily given, and the appeal is accordingly allowed.

(Sd.) K. P. LAKSHMANA RAO,  
President.

(Sd.) F. JEEJEBHOY,  
Member.

#### Appeal (Bom.) No. 145 of 1952

The Central India Spg., Wvg. & Mfg. Co. Ltd., "Empress Mills", Nagpur. Appellants.

Versus

Their employees represented by the Rashtriya Mill Mazdoor Sangh, Nagpur, a recognised Union under the Madhya Pradesh Industrial Disputes Settlement Act. Respondents.

#### Appeal (Bom.) No. 146 of 1952

The Model Mills, Nagpur, Ltd., Nagpur. Appellants.

Versus

Their employees represented by the Rashtriya Mill Mazdoor Sangh, Nagpur, a recognised Union under the C.P. & Berar Industrial Settlement Act, 1947. Respondents.

#### Appeal (Bom.) No. 147 of 1952

The Bengal Nagpur Cotton Mills Ltd., Rajnandgaon. Appellants.

Versus

Their employees represented by the Rashtriya Mill Mazdoor Sangh, Rajnandgaon, a recognised Union under the C.P. and Berar Industrial Disputes Settlement Act, 1947. Respondents.

#### Appeal (Bom.) No. 148 of 1952

The Berar Mfg. Co. Ltd., Badnera. Appellants.

Versus

Their employees represented by the Rashtriya Girni Mazdoor Sangh, Badnera, a recognised Union under the C.P. and Berar Industrial Disputes Settlement Act, 1947. Respondents.

#### Appeal (Bom.) No. 149 of 1952

The Burhanpur Tapti Mills Ltd., Burhanpur. Appellants.

Versus

Their employees represented by the National Textile Workers' Union, Burhanpur, a recognised Union under the C.P. & Berar Industrial Disputes Settlement Act, 1947. Respondents.

#### Appeal (Bom.) No. 150 of 1952

Rashtriya Mill Mazdoor Sangh, Hinganghat, Madhya Pradesh, representing the employees of—

(1) Rai Bahadur Bansilal Abirchand Spinning and Weaving Mills Ltd., Hinganghat.

(2) Rai Sahib Rekh Chand, Mohota Spinning and Weaving Mills, Limited, Hinganghat. Appellants.

Versus

Secretary, Madhya Pradesh Millowners' Association, Sitabuldi, Nagpur, representing the management:

(1) Rai Bahadur Bansilal Abirchand Spinning & Weaving Mills Ltd., Hinganghat.

(2) Rai Sahib Rekhchand Mohota, Spinning & Weaving Mills Ltd., Hinganghat. Respondents.

#### Appeal (Bom.) No. 151 of 1952

(1) Rashtriya Mill Mazdoor Sangh, Nagpur representing employees of—

(i) Central India Spinning & Wvg. and Mfg. Company Ltd., Empress Mills, Nagpur.

(ii) Employees of Model Mills, Nagpur.

(2) Rashtriya Mill Mazdoor Sangh, Rajnandgaon, representing employees of Bengal Nagpur Cotton Mills, Rajnandgaon, Madhya Pradesh.

(3) National Textiles Workers' Union, Burhanpur, representing the employees of the Burhanpur Tapti Mills Ltd., Burhanpur, Madhya Pradesh. Appellants.

Versus

Secretary, Madhya Pradesh Millowners' Association, Nagpur, representing management of—

(1) Empress Mills, Nagpur.

(2) Model Mills, Nagpur.

(3) Bengal Nagpur Cotton Mills, Rajnandgaon.

(4) Burhanpur Tapti Mills, Limited. Respondents.

#### Appeal (Bom.) No. 152 of 1952

Akola Mazdoor Sangh, Akola (Recognised), Tajnapeth, Akola, Madhya Pradesh. Appellants.

Versus

(1) Savatram Ramprasad Mills Limited, Tajnapeth, Akola.

(2) Raosaheb Rekhchand Gopaldas Mohta Mills Ltd., Tajnapeth, Akola. Respondents.

## Appeal (Bom.) No. 184 of 1952

Rashtriya Girni Mazdoor Sangh, Achalpur,  
(Recognised Union), Amravati, Madhya  
Pradesh.

Appellants.

Versus

The Vidarbha Mills, Berar Limited,  
Ellichpur, Dist. Amravati, Madhya  
Pradesh.

Respondents.

## Appeal (Bom.) No. 207 of 1952

- (1) Baboolal Ramchandra Vihar, Weaving Dept.
- (2) Ramchandra Sakharajji, Watch & Ward Dept.
- (3) Ramlal Rapsingh, Spinning Dept.
- (4) Chatra Sonaji, Roving Dept.
- (5) Bhagwan Narayanhi Ponde, Weaving Dept.
- (6) Surnam Singh Moti Singh, Spinning Dept.

A. R. Chatl, Roving Dept.

- (8) Md. Ibrahim Md. Umer, Boiler.

All employees of the respondent Mills.

- (9) Girni Mazdoor Sangh, Ellichpur, on behalf of above said appellants and all other workers employed under respondent No. 1 who are the members of Girni Mazdoor Sangh.

Appellants.

Versus

- (1) The Vidarbha Mills, Berar Ltd., Ellichpur (Achalpur).
- (2) All other workers employed under Respondent No. 1, not represented by Appellant No. 9.

Respondents.

In the matter of appeals against the award of the Provincial Industrial Court (Shri L. D. Trivedi), Madhya Pradesh, Nagpur, in Industrial Reference No. 4 of 1951, dated the 26th of March 1952.

The 1st day of October 1952

PRESENT:

Mr. K. P. Lakshmana Rao, President.

Mr. F. Jeejeebhoy, Member.

## Appearances :

For the Appellants in Appeals Nos. 145, 146, 147, 148 and 149 of 1952, and Respondents in Appeals Nos. 150, 151, 183, 184 and Respondent No. 1 in Appeal No. 207 of 1952.—Shri B. Narayanaswamy, Advocate. Also Shri K. Srinivasan, Secretary, Madhya Pradesh Millowners' Association.

For Respondent No. 2 in Appeal No. 207 of 1952.—No appearance.

For the Respondents in Appeals Nos. 145, 146, 147, 148 and Appellants in Appeals Nos. 150 & 151.—Mr. S. M. Dhabe, Advocate; Mr. B. G. Deo, Pleader; Mr. G. M. Khode, Secretary, Rashtriya Mill Mazdoor Sangh, (I.N.T.U.C.), Nagpur.

For the Appellants in Appeals Nos. 183 & 184 & respondents in Appeal No. 148 of 1952.—Shri Saqui Niyazi, Secretary of the Union.

For the Appellants in Appeal No. 207 of 1952.—Shri Sudam Deshmukh.

State.—Madhya Pradesh.

Industry.—Textiles (Cotton).

## DECISION

In Appeals (Bom.) Nos. 145, 146, 147, 148 and 149 the appellants are the following mills of Nagpur :

- (1) The Central India Spg. Wvg. & Mfg. Co. Ltd.
- (2) The Model Mills, Nagpur Ltd.
- (3) The Bengal Nagpur Cotton Mills Ltd.
- (4) The Berar Manufacturing Co.
- (5) The Burhanpur Tapti Mills Ltd.

2. The workmen have also appealed against the award in respect of the following mills :—

Appeal No. 150/52—

- (1) Rai Bahadur Bansilal Abirchand, Spinning and Weaving Mills Ltd., Hinganghat.

- (2) Rai Saheb Rekhchand Mohota, Spinning and Weaving Mills Ltd., Hinganghat.

Appeal No. 151/52—

- (1) Empress Mills, Nagpur.
- (2) Model Mills, Nagpur.
- (3) Bengal Nagpur Cotton Mills, Rajnandgaon.
- (4) Burhanpur Tapti Mills, Limited.

Appeal No. 183/52—

- (1) Sevatriam Ramprasad Mills Ltd., Tajnapeth, Akola.
- (2) Raosaheb Rekhchand Gopaldas Mohta Mills Ltd., Tajnapeth, Akola.

Appeal No. 184/52—

The Vidarbha Mills, Berar Limited, Ellichpur, Dist. Amravati, Madhya Pradesh.

3. Appeal No. 207/52 is by eight workers represented by another union against the Vidharbha Mills Berar Ltd., and other workmen employed in the mills who are not represented by the recognised union. There is no counter appeal against appellants in Appeal No. 148/52.

4. All the appeals are directed against the award of the Provincial Industrial Court, Madhya Pradesh, Nagpur, concerning bonus for the year 1949-50 payable by the eleven mills which were before the Adjudicator on a reference made by the Government. We shall deal with all the appeals in this single decision.

5. The Adjudicator has held that payment of bonus should be unit-wise and not industry-wise as contended by labour; that the industry as a whole had suffered a loss, and only two mills had made any surplus profits. The Adjudicator also found that no mill had any "available surplus" according to our Full Bench formula from which any bonus could be paid (*vide* schedule A attached to the award). The Adjudicator, however, found that five mills mentioned in paragraph 33 of his award had some reserves as shown in the balance sheets, and these reserves had been utilised *pro tanto* by the respective mills to pay a return on capital in the shape of dividends, although they had either insufficient or no profits to pay such dividends; and the Adjudicator concluded: "Considerations of social justice require that the workers should also share in these reserves which were obviously contributed by their labour. They should get the same amount as bonus as has been given as dividends". We may mention at this stage that what the Adjudicator calls "reserves" is in fact according to his own award the dividend equalisation fund except in the case of one mill.

6. A preliminary question of law was raised by the employers that the Tribunal had not been properly constituted and therefore had no jurisdiction to consider the claim. The notification states that in exercise of the powers conferred by sub-sections (1) and (2) of section 22 of the Central Provinces and Berar Industrial Disputes Settlement Act, 1947, the State Government was pleased to constitute a Provincial Industrial Court consisting of the District and Sessions Judge at Nagpur for determining industrial disputes and for dealing with other industrial matters under the provisions of the said Act in addition to his own duties. It is true that the name of the Adjudicator had not been given, but in our opinion that by itself would not invalidate the constitution of the Industrial Court unless it can be shown that the person holding the office of District and Sessions Judge at Nagpur is not qualified under the Act to be appointed as a Member of the Court; which does not seem to be the case here. This point was not taken before the Court and in the absence of facts we cannot allow this question to be raised at this stage.

7. The employers have next contended that no question of "social justice" arises so as to override our Full Bench decision which laid down the principles governing the payment of bonus in any year. But before we discuss this subject it will be more in order if we considered the contentions of the workmen as to the state of the accounts.

8. There is a short history prior to this reference. As a dispute had arisen between the mills and the workmen on this issue the State Government on the 7th March, 1950, constituted a Bonus Tripartite Committee to arrive at an agreed solution of the problem of bonus in the cotton textile industry in the State on a permanent basis for the future. The State, the workmen and the mills were represented on the Committee. The Committee suggested *inter alia* that bonus was to be paid unit-wise and not industry-wise, that 6 per cent. should be paid as return on paid-up capital, that half of the average interest rate to be worked out on the interest paid by all the textile mills on the working capital which they would need to borrow from the market should be added to the reserves employed as

working capital, while the other half should be left with gross profit for calculation of bonus; and that the surplus profit of the industry after meeting necessary charges including return on the investment of capital should be shared both by Capital and Labour half and half. The solution was approved by the Tripartite Committee on the 13th February 1951 and the mills were asked to work out the figures and announce the grant of bonus for 1949-50 after proper calculations. The mills reported no profits according to the formula, and the workmen being dissatisfied this reference was made.

9. The workmen do not dispute the correctness of the accounts but have challenged items of income and expenditure which they say have diminished the profits which the mills would have otherwise made. They have, however, led no evidence on the subject, and indeed intimated to the Court prior to the hearing (as recorded in the diary sheet) that they were not producing any evidence. In fact the hearing itself before the Court lasted just about an hour, as Counsel have informed us. The Adjudicator found that the challenge of the workmen as to the items of account was unsupported and unsustainable, and he accepted the statement of gross profits or losses of the mills as found by three of the six assessors who had been asked by the Industrial Court to help to scrutinize the accounts; one of whom was a special Accounts Officer of the State Government. The workmen before us have not challenged the figures as given by the assessors, but have attacked in appeal the particular items which they say have tended to the diminution of profits:

- (a) They complained that all the mills with the exception of Rai Babadur Bansilal Abirchand Spg. & Wvg. Mills, Hinganghat, had paid for the purchase of cotton more than the ceiling prices fixed by the Government, and that therefore the expenses had increased and the profits had been diminished. The mill explained that it was not possible to purchase cotton at prices fixed by the Government, and that they did nothing wrong in buying at higher prices. If cotton was not available, then the mills would have had to stop work, in which case the workmen would have been out of employment. We agree with the Adjudicator that the objection of the workmen on this ground fails.
- (b) It was next urged on behalf of the workmen that the gratuity paid to retrenched workmen during the year by some of the mills should not be a charge on the income of the year. It is, however, admitted that there was no scheme of retrenchment relief, and it is without doubt necessary that on retrenchment the workmen should have some retirement benefit. The subject, however, does not assume any importance except in the case of the Empress Mills where 1,300 men were retrenched and had to be paid Rs. 9,70,000 by way of retrenchment relief during the year. As to other mills, even if the amounts of retrenchment relief were excluded, the profits would still be nil or insufficient for an 'available surplus'. We shall deal with the Empress Mills separately.
- (c) The third objection is that in some cases the bonus of the previous year had been debited in the year's accounts; in the previous year the Reference was industry-wise, and as a fact five mills had suffered losses in that year. The bonus awarded had of necessity to be paid in the subsequent year and went into the account of the year in the normal course as an item of expenditure. The amounts, however, are not such as would, if disallowed, result in an "available surplus" out of which bonus could be paid.
- (d) The fourth objection relates to the sale of cotton seeds by mills 7 and 10 in Schedule 'A' attached to the award at Rs. 3/9/- and Rs. 3/6/6 per maund. The Adjudicator has found that there was no evidence to show that the price was less than what it should have been, and that the objection was a surmise based on figures of two other mills showing sales at about Rs. 10 per maund, ignoring the fact that the maunds of these two mills are of 28 lbs. and of the other mills of 82 lbs. We cannot say that there is any substance in this contention.
- (e) The last point advanced by the workmen is that in pursuance of our formula 6 per cent. return on capital is excessive and that it should be only 4 per cent. Considering that Government Securities yield something like 4 per cent. these days it is impossible for us to hold that 6 per cent. return

on the capital of these mills is excessive having regard to the nature of the business and the risks involved.

10. We, therefore, agree with the Adjudicator that none of the mills has shown any "available surplus" of profit for the year out of which bonus could be paid, except as to the Empress Mills to which we shall refer later; and the only question which now remains for consideration is whether the Adjudicator's award of bonus on the grounds of "social justice" as understood by him should stand.

11. On behalf of the workmen it has been urged that the mills had been showing losses since 1947 but had been giving bonus in spite of such losses, and they are unable to understand why the bonus should now be stopped. They further maintain that the minimum wage is Rs. 26 and not Rs. 30 as in Bombay, and they contend that bonus should be given in all the mills firstly to preserve industrial peace, and secondly by way of social justice as their wages are low. The representative of the union did not press for bonus industry-wise, but claimed that all mills should have been ordered to pay bonus and at a higher rate.

12. The granting of bonus by the mills for three previous years is not to the discredit of the mills; for 1946-47 and 1948-49 bonus was paid in accordance with awards; for 1947-48 there seems to have been no award; it may be that a stage has now been reached when the mills are unable to pay any bonus owing to the losses which they have sustained. But we cannot conclude from the fact that they paid bonus for three years from 1947 that they nurtured secret profits. The accounts for the year have been duly audited, and there is no evidence to support the suggestion that the accounts are in any way incomplete or false; indeed the workmen have accepted all the figures which were produced before us, their objection being to particular alleged acts of management tending to reduction of profits. As regards the minimum wage, here also there is no evidence to indicate that Rs. 26 is low having regard to the conditions in Madhya Pradesh; Bombay is a highly industrialized area, the like of which is not to be found in any other part of India, and its scale of Rs. 30 per month for the unskilled workmen has come to stay. But we cannot conclude from that fact that the minimum of Rs. 26 in Madhya Pradesh is below the level that should prevail. If the workmen relied upon low wages to establish some claim to bonus (the validity of which is doubtful) they should have taken the trouble to support their point by some evidence as to comparative basic wages and total emoluments, but they have not done so. The case of the workmen has been argued on the basis of the social justice and our Full Bench formula, and no reliance was placed during the hearing on the recommendations of the Tripartite agreement.

13. Our Full Bench decision in Appeals Nos. 1 and 5 of 1950 (*The Millowners' Association, Bombay, v. The Rashtriya Mill Mazdoor Sangh, Bombay, and the Kurla Girni Kamgar Sangh, Kurla*—*The Rashtriya Mill Mazdoor Sangh, Bombay, v. The Millowners' Association, Bombay*)—Bombay Government Gazette, Part I-L, 10th October 1950 lays down the principles for the ascertainment of bonus payable for any year. That decision is broad based on principles of social justice. By that decision we lifted bonus out of the category of gratuity and gave a right to the workmen to claim bonus if the trading results of the year in question resulted in profits out of which a surplus was available for bonus. As against the wages earned by labour we allowed a fair return to capital, which normally is 6 per cent. We provided for rehabilitation of plant and machinery as a prior charge in addition to statutory depreciation, for there could be no employment unless workable machinery was in existence. And we held that labour was entitled as of right to a share of the 'available surplus' by way of bonus for the year so long as a living wage had not been attained. The scheme of our formula was to do social justice; our Full Bench was moved by a desire to give a fair deal to labour, and the resultant formula was the best that we could devise in the circumstances to do justice between the parties. That Full Bench decision stands, and this Bench is bound by it; we have no power to engraft exceptions on it which would have the effect of destroying that balance of considerations on which our formula is founded. It is of interest to reproduce some of the observations of that Full Bench decision: "As both Capital and Labour contribute to the earnings of the industrial concern, it is fair that labour should derive so benefit, if there is surplus after meeting prior or necessary charges. \* \* \* The reserves which are carried over from year to year in law belong to the company, and in our view the company is entitled to some return for the money employed as working capital. \* \* \* The claim of the employees for bonus would only arise if there should



be a residue after making provision for (a) prior charges and (b) a fair return on paid-up capital and on reserves employed as working capital. \* \* \* After the aforesaid deductions there remains a surplus and the issue is whether the employees are entitled to any and, if so, to what bonus. \* \* \* Essentially the quantum of bonus must depend upon the relative prosperity of the concern during the year under review, and that prosperity is probably best reflected in the amount of the residuary surplus. \* \* \* Our approach to this problem is motivated by the requirement that we should ensure and achieve industrial peace which is essential for the development and expansion of industry. This can be achieved by having a contented labour force on the one hand, and on the other hand an investing public who would be attracted to the industry by a steady and progressive return on capital which the industry may be able to offer."

14. Social justice in a wide sense has been incorporated in our Full Bench decision, and whenever our Full Bench formula is applied there is a dispensation of social justice to the appropriate limits.

15. It is, therefore, clear that a claim to bonus can only arise if there is an "available surplus" of profit in the year. It would be contrary to our Full Bench decision if we took the view that whenever shareholders are given dividends out of the dividend equalisation fund or reserves, the workmen should be given a like amount from the same funds. We can think of nothing which could support such a proposition. The dividend equalisation fund is built up over a period of years to provide for the payment of dividends to shareholders in lean years; it is money accumulated from past profits, and ear-marked for a specific purpose. Similarly the reserve fund has been built up out of the profits of the past to be utilised for the benefit of the company. We are quite unable to uphold the Adjudicator's decision on this point, for his decision if allowed to stand would mean in effect that any asset of the company could be requisitioned to pay bonus irrespective of the circumstances whether there had been a profit or a loss in the year for which bonus is claimed, and 'bonus' would then acquire quite another meaning.

16. The case of the Empress Mills is a little different. It pays an annual wage bill of about 50 lacs, and its gross profit of the year amounted to Rs. 6,81,553 as shown in the balance sheet. To this must be added the sum of Rs. 1,42,453 paid as donation to the Mahatma Gandhi Memorial Fund. The workmen contend that there should also be added the sum of Rs. 9,70,000 which was paid as retrenchment relief to some 1,300 workmen retrenched during the year and which had been regarded as an item of expenditure of the year. It is the contention of labour that a large item of this character should not be taken in diminution of profits for the purposes of our Full Bench formula. As against this the mills contend that even if the whole of this amount were to be eliminated from expenditure of the year there would still be no 'available surplus' in terms of our formula, if the mills are allowed to depreciate to which they would be entitled for replacement of plant and machinery, etc. We think that the correct position lies somewhere between these two contentions. It would be unfair, for the purposes of our formula, that such a large amount paid as retrenchment relief in a year should be taken in reduction of the profits of the year out of which the 'available surplus' is to be found. On the other hand there is no evidence to establish that the Empress Mills would be entitled to so large an annual prior charge as is claimed for restoration and replacement of plant and machinery over and above the statutory depreciation, in accordance with our formula. We appreciate that the profits shown for the concern of this size are modest, and we have considered the figures in the several exhibits on the record. The margin of 'available surplus' is obviously limited, and although in the absence of all the facts we are not able to arrive at precise calculation, we hold that it would be just that the Empress Mills should pay to its workmen bonus equivalent to one-twentyfourth of the basic earnings of the year. The bonus granted by the Adjudicator is modified to this extent.

17. We hold that no bonus was payable by the mills other than the Empress Mills for the year in question, and the grant of bonus by the Adjudicator as stated in his award is set aside except that it is modified in the case of the Empress Mills. The appeals are decided accordingly.

(Sd.) K. P. LAKSHMANA RAO,  
President.

(Sd.) F. JEEJEBHOY,  
Member.

## MINISTRY OF COMMERCE AND INDUSTRY

### Office of the Textile Commissioner

#### NOTIFICATIONS

Bombay, the 6th October 1952

No. TCS IV/CTM/42.—In pursuance of sub-clause (i) of clause 3 of the Cotton Textiles (Control of Movement) Order, 1948, I hereby direct that the following further amendment shall be made in the General Permit No. 1, dated 13th August 1949 contained in the Textile Commissioner's Notification No. 15-Tex.1/49, dated the 13th August 1949, namely:—

In the said General Permit after paragraph 4B the following paragraph shall be inserted:—

"4C. Any person may transport or cause to be transported by road from Greater Bombay to any place in the Bombay Zone, cloth if such transport is accompanied by and is in accordance with a certificate issued by the Deputy Registrar, Rehabilitation Production Centres, Bombay stating

- (i) the bale numbers or the quantity in Yards of the cloth which is to be transported,
- (ii) particulars for the purpose of identification of the carrier or vehicle employed for the transport,
- (iii) the date by which the transport is to be completed and
- (iv) that the cloth which is to be transported is intended for the Rehabilitation Production Centres, at Kalyan (Thana Dt.) Pimpri (Poona Dt.) or Valivde (Kolhapur Dt.)."

M. R. KAZIMI,  
Joint Textile Commissioner.

## DIRECTORATE GENERAL OF SUPPLIES AND DISPOSALS

New Delhi, the 7th October 1952

No. 729.—Mr. G. Kuppaswamy, Assistant Inspecting Officer in the Bombay Inspection Circle of the Directorate General of Supplies and Disposals has been granted earned leave for 34 days from 15th September, 1952 to 18th October, 1952 with permission to prefix and suffix Sundays on 14th September, 1952 and 19th October, 1952 respectively to the leave.

No. A-1/1(11).—Dr. S. K. Mitra, Director of Supplies in the Directorate General of Supplies and Disposals, New Delhi, was granted earned leave for one day on the 27th August, 1952.

No. A-1/1(19).—Mr. S. P. Chatterjee, Assistant Director of Supplies (Grade I) in the Directorate General of Supplies and Disposals, New Delhi, has been granted earned leave for 33 days from the 29th September, 1952, to the 31st October, 1952, with permission to prefix the closed holidays on account of Dusshera from the 25th September, 1952, to the 27th September, 1952, and Sunday on the 28th September, 1952, and suffix the closed holiday on account of Guru Nank's Birthday on 1st November, 1952 and Sunday on the 2nd November, 1952, to the leave.

New Delhi, the 10th October 1952

No. 730.—Mr. G. K. Ahuja, Assistant Inspecting Officer of the Directorate General of Supplies and Disposals at Bombay has been transferred to New Delhi. He relinquished charge of the office of the Assistant Inspecting Officer, Bombay, on the afternoon of the 24th September, 1952, and assumed charge of the office of the Assistant Inspecting Officer at New Delhi on the forenoon of the 6th October, 1952.

SHIV CHARAN SINGH,  
Director (Administration & Co-ordination),  
for Director General, Supplies and Disposals.

## SURVEY OF INDIA

#### NOTIFICATIONS

Bangalore, the 7th October 1952

No. 10.—Mr. M. N. Kutty, Officer Surveyor, No. 6 Party (S.C.) is granted earned leave for 25 days from 1st October 1952 to 25th October 1952 with permission to pre-

fix Sunday the 28th September 1952 and holidays on Monday the 29th September 1952 and Tuesday the 30th September 1952 and affix Sunday the 26th October 1952 to the leave, under the Revised Leave Rules.

2. Certified that there is no likelihood of the officer returning to a post carrying a lower rate of pay, on expiry of the leave.

3. Certified also that the officer is likely, on expiry of the leave, to return to duty at Bangalore from where he proceeded on leave.

P. A. THOMAS,  
Director, Southern Circle,  
Survey of India.

Shillong, the 9th October 1952

No. 4.—Sri Arun Biswas, Officer Surveyor (Prob.) attached to No. 5 Party (E.C.), Survey of India, Shillong is granted under the Revised Leave Rules, earned leave on average pay for 30 days from 15th September 1952 to 14th October 1952 with permission to prefix 14th September 1952, being Sunday, to the leave.

The officer on the expiry of his leave is likely to return to duty to the same post at Shillong from which he proceeded on leave.

R. S. KALHA,  
Colonel,  
Director, Eastern Circle.

Dehra Dun, the 9th October 1952

No. 13192/2.A58.—Shri Suresh Prasad, Officer Surveyor attached to No. 2 Party, Survey of India, is granted under the Revised Leave Rules, 1933, earned leave for 25 days from 29th September 1952 to 23rd October 1952, with permission to prefix Dusshera holidays and Sunday from 25th September 1952 to 28th September 1952 to the leave.

J. S. PAINTAL,  
Lt.-Colonel,  
Director, Northern Circle.

Dehra Dun, the 9th October 1952

No. 2199/P.F.—Shri J. C. Sikka, Deputy Superintending Surveyor, Survey of India, having returned to duty on the afternoon of 17th September, 1952, the unexpired portion of his leave for three days from 18th September, 1952 to 20th September, 1952 is hereby cancelled.

GAMBHIR SINGH,  
Brigadier,  
Offg. Surveyor General of India.

#### OFFICE OF THE DIRECTOR GENERAL OF ARCHAEOLOGY IN INDIA (Archaeology)

##### NOTIFICATION

New Delhi, the 11th October 1952

No. 1B/20/52-13447.—Sri N. R. Banerjee, M.A., Assistant Superintendent, Department of Archaeology, Southern Circle, Madras, is granted earned leave from the 29th September, to the 25th October, 1952 with permission to prefix the public holidays from the 25th to the 28th September and to suffix Sunday the 26th October, 1952.

T. N. RAMACHANDRAN,  
Deputy Director General of Archaeology in India.

#### GEOLOGICAL SURVEY OF INDIA

##### NOTIFICATIONS

Calcutta-13, the 8th October 1952

No. 12718.—Director, Geological Survey of India, has been pleased to grant to Mr. Y. S. Sahasrabudhi Asstt. Geologist, Geological Survey of India, earned leave for 15 days with effect from the forenoon of the 11th September 1952 with the permission to affix the Puja holidays.

He is likely to resume his duties at Bombay whence he has proceeded on leave.

No. 12727.—In partial modification of this office Department Notification No. 10515/2222(G.G.)22-5-52.

Director, Geological Survey of India, has been pleased

to grant to Mr. C. Gourishankar, Assistant Geologist, Geological Survey of India, extension of earned leave for 20 days with effect from the forenoon of the 26th July 1952 with the permission to affix the 15th August 1952.

He is likely to resume his duties at Madras whence he has proceeded on leave.

The 10th October 1952

No. 12839/2222(RT).—Director, Geological Survey of India, has been pleased to grant to Mr. R. Thiagarajan, Assistant Geologist, Geological Survey of India, earned leave for 30 (thirty) days with effect from the forenoon of the 29th September 1952 with the permission to prefix the Puja holidays from the 26th September to the 28th September 1952.

He is likely to resume his duties at Madras whence he has proceeded on leave.

The 11th October 1952

No. 12874/2222(VRVR).—Director, Geological Survey of India, has been pleased to grant to Mr. V. R. Venkoba Rao, Assistant Geologist, Geological Survey of India, earned leave for 14 (Fourteen) days with effect from the forenoon of the 4th October, 1952 with the permission to affix the 18th and 19th October, 1952, being holidays.

He is likely to resume his duties at Bombay whence he has proceeded on leave.

No. 12884/2222(DRSM).—Director, Geological Survey of India, has been pleased to grant to Mr. D. R. S. Mehta, Geologist, Geological Survey of India, earned leave for 15 days with effect from the forenoon of the 20th September 1952 with the permission to affix the Sunday on 5th October 1952.

He is likely to resume his duties at Calcutta whence he has proceeded on leave.

N. K. N. AIYENGAR,  
Assistant Director,  
Geological Survey of India.

#### DEFENCE ACCOUNTS DEPARTMENT

##### NOTIFICATIONS

New Delhi, the 9th October 1952

No. 7695/1/AN.—The undermentioned officers in the office of the Controller of Defence Accounts (Pensions) Allahabad have been granted leave as shown against each :—

Shri B. B. Ghosh, Assistant Accounts Officer—Privilege leave from 2nd September 1952 to 16th September 1952 in extension of the leave granted to him in this Department Notification No. 7170/38/AN dated 9th September 1952

Shri J. M. Sood, Officiating Assistant Accounts Officer—Privilege leave from 2nd September 1952 to 26th November 1952.

In this Department Notification No. 7170/38/AN dated 9th September 1952 against Shri Gurdit Singh, Assistant Accounts Officer, for 'Privilege leave from 17th August 1952 to 25th August 1952' read 'Privilege leave from 17th August 1952 to 23rd August 1952'.

No. 7503/7/AN.—The undermentioned officers in the office of the Controller of Defence Accounts, Western Command, Meerut, have been granted leave as shown against each :—

Shri Bisakha Singh, Officiating Assistant Accounts Officer—Privilege leave from 3rd January 1952 to 5th January 1952 and from 11th August 1952 to 14th August 1952.

Shri Bhagat Ram Basdeva, Officiating Assistant Accounts Officer—Privilege leave from 30th July 1952 to 23rd August 1952.

No. 6707/34/AN.—Shri J. P. Tewari, an Assistant Accounts Officer in the office of the Controller of Defence Accounts, Eastern Command, Meerut has been granted privilege leave from 11th September 1952 to 13th September 1952.

No. 7630/2/AN.—The undermentioned officers in the office of the Controller of Defence Accounts (Officers) Poona have been granted leave as shown against each :—

Shri Ram Rang Khorana, Officiating Assistant Accounts Officer—Privilege leave from 20th August 1952 to 18th October 1952.

Shri B. M. Rasam, Officiating Assistant Accounts Officer—Privilege leave from 1st September 1952 to 15th October 1952.

Shri G. V. Deodhar, Officiating Assistant Accounts Officer—Privilege leave from 31st August 1952 to 29th September 1952.

**No. 7631/7/AN.**—The undermentioned officers in the office of the Controller of Defence Accounts (other Ranks) Secunderabad have been granted leave as shown against each:—

Shri Sain Dass Gupta, Officiating Assistant Accounts Officer—Privilege leave from 15th September 1952 to 1st November 1952.

Shri Kundan Lal Mehra, Assistant Accounts Officer—Privilege leave from 30th June 1952 to 9th July 1952.

Shri N. S. Manian, Assistant Accounts Officer—Privilege leave from 8th September 1952 to 17th October 1952.

**No. 7506/15/AN.**—In this Department Notification No. 7506/10/AN dated 15th July 1952, delete Shri N. K. Chatterjee, Assistant Accounts Officer with connected entries.

**No. 7506/16/AN.**—The undermentioned officers in the office of the Controller of Defence Accounts (Factories) Calcutta have been granted leave as shown against each:—

Shri N. K. Chatterjee, Assistant Accounts Officer—Privilege leave from 1st June 1952 to 27th August 1952 and furlough on full average salary from 28th August 1952 to 30th September 1952.

Shri C. C. Raha, Temporary Assistant Accounts Officer—Privilege leave from 16th September 1952 to 6th October 1952 in extension of the leave granted to him in this Department Notification No. 7506/11/AN dated 16th August 1952.

*The 11th October 1952*

**No. 6873-Accts.**—Shri R. Venkataraman, an officer of the Indian Defence Accounts Service (on probation) in the office of the Controller of Defence Accounts (Officers) has been granted earned leave from 10th August 1952 to 30th August 1952.

R. JAGANNATHAN,

*Controller General of Defence Accounts.*

#### DIRECTORATE GENERAL ALL INDIA RADIO

##### NOTIFICATIONS

*New Delhi, the 7th October 1952*

**No. 1(102)SI/52.**—Mr. S. R. Grubb, officiating Assistant Station Director, All India Radio, Madras, was transferred to the Delhi Station where he took over charge on the 16th September 1952.

*The 10th October 1952*

**No. 1(1/18)-SI/52.**—Mr. Asoka Gupta, Assistant News Reporter, News Services Division, All India Radio, has been granted earned leave for 18 days with effect from the 29th September 1952, with permission to affix closed holidays from 25th to 28th September and 17th-19th October, 1952 to the leave.

*The 11th October 1952*

**No. 1(101)SI/52.**—Mr. K. S. Srinivasan, officiating Public Relations Officer, All India Radio, Madras, was appointed officiating Assistant Station Director at the same Station with effect from the 22nd September 1952.

S. BANERJEE,

*Deputy Director of Administration,  
for Director General.*

#### PRESS INFORMATION BUREAU

##### NOTIFICATIONS

*New Delhi-2, the 4th October 1952*

**No. F.19/3/52-Est.**—On return from leave, Shri V. Ramasivan was re-appointed Section Officer (Grade III) in the office of the Press Information Bureau at Madras with effect from the forenoon of September 18, 1952.

**No. F.19/5/52-Est.**—On return from leave, Shri M. Subrahmanyam was re-appointed Section Officer (Grade III) in the office of the Press Information Bureau at Bombay with effect from the forenoon of September 3, 1952.

*The 10th October 1952*

**No. F.19/12/49-Est.**—Shri A. C. Pandeya, Assistant Information Officer, Press Information Bureau, was granted earned leave for 18 days from August 5 to 22, 1952.

B. L. SHARMA,

*Principal Information Officer.*

#### DIRECTORATE GENERAL OF HEALTH SERVICES

##### NOTIFICATIONS

*New Delhi, the 8th October 1952*

**No. 15-45/51-PHI.**—Dr. C. P. Nair, Malaria Assistant, Malaria Institute of India, Delhi who was placed on deputation abroad with effect from the 12th August, 1951, vide Director General of Health Services Notification No. 15-45/51-PHI, dated the 19th September, 1951, resumed charge of his duties on the forenoon of the 23rd September, 1952.

B. S. KHURANA,

*for Director General of Health Services.*

*New Delhi, the 8th October 1952*

**No. 1-107/52-N.**—Miss E. Gomez, Ward Teaching Sister in the College of Nursing, New Delhi was granted earned leave for 19 days with effect from the forenoon of the 1st September, 1952.

On expiry of the leave granted to her she resumed charge of the post of Ward Teaching Sister in the College of Nursing, New Delhi on the forenoon of the 20th September, 1952.

T. K. ADRANVALA,

*for Director General of Health Services.*

#### INDIAN COUNCIL OF AGRICULTURAL RESEARCH

##### NOTIFICATION

*New Delhi, the 6th October 1952*

**No. F.53(5)/51-Stat.**—The following candidates are declared to have passed, in order of merit, the Supplementary Examination of the post-graduate Applicational Course in Agricultural Statistics of the Indian Council of Agricultural Research held in August, 1952.

*Name and Division*

1. Mr. Sahib Singh—Second.
2. Mr. S. S. Gupta—Second.
3. Mr. Barada Acharya—Second.
4. Mr. B. K. Jayaswal—Second.

J. V. A. NEHEMIAH,

*Secretary.*

#### INDIAN AGRICULTURAL RESEARCH INSTITUTE

##### NOTIFICATIONS

*New Delhi, the 8th October 1952*

**No. F7/26487.**—Dr. N. P. Datta, Agronomist, is granted earned leave for eighteen days from 29th September, 1952 to 16th October, 1952, with permission to prefix 25th, 26th

and 27th September, 1952, (Holidays) and 28th September, 1952 (Sunday) and affix 17th and 18th October, 1952 (Holidays) and 19th October, 1952 (Sunday) to the leave.

On return from leave Dr. Datta is likely to be reposted to the same post.

**No. F7/26491.**—Dr. S. P. Kohli, Assistant Wheat Breeder, Co-ordinated Wheat Rust Control Scheme, (Botanical Portion), Simla Centre, is granted earned leave for twenty-two days from 20th August, 1952 to 10th September, 1952.

On expiry of the leave Dr. Kohli resumed duty as Assistant Wheat Breeder, Coordinated Wheat Rust Control Scheme, (Botanical Portion), Simla Centre, on the forenoon of the 11th September, 1952.

B. P. PAL,  
Director.

#### CENTRAL MARINE FISHERIES RESEARCH STATION

##### NOTIFICATION

The 1st October 1952

**No. 3598.**—Shri R. Jayaraman, Assistant Research Officer (Biochemistry) in this Station is granted earned leave for 14 days from 3rd October 1952 and is permitted to avail the holidays on 2nd, 17th, 18th and 19th October 1952 as applied for by him.

N. K. PANIKKAR,  
Chief Research Officer.

#### INDIAN VETERINARY RESEARCH INSTITUTE, MUKTESWAR-KUMAUN

##### NOTIFICATION

Mukteswar, the 7th August 1952

**No. G/2191-93.**—Shri C. Seetharaman, M.Sc., B.V.Sc., Assistant Research Officer (Virus), Indian Veterinary Research Institute, Mukteswar-Kumaun, is granted earned leave for 27 days from the 28th July, 1952 to the 23rd August, with permission to prefix and affix Sundays on the 27th July, 1952 and the 24th August, 1952, respectively.

S. DATTA,  
Director,  
Indian Veterinary Research Institute.

#### INDIAN POSTS AND TELEGRAPHS DEPARTMENT

##### NOTIFICATION

New Delhi, the 9th October 1952

**No. STA.75-18/52.**—Mr. S. Das Gupta, officiating Assistant Chief Engineer (TE), P. & T. Directorate, is granted leave on average pay for six weeks with effect from 20th October 1952 with permission to prefix the holidays on the 17th and 18th October and Sunday the 19th October, 1952 to his leave.

H. L. JERATH,  
Director General.

#### OFFICE OF THE DIRECTOR GENERAL OF CIVIL AVIATION

##### NOTIFICATIONS

New Delhi, the 7th October 1952

**No. E(C)11-18/52.**—The following transfers have been made :—

Name & designation of the officer with the old station of posting	Date of relinquishment of charge	Station to which transferred	Date of assumption of charge at the new station.
1. Shri S. V. Krishnamachari, Assistant Communication Officer, Aeronautical Communication Station, Ahmedabad.	29-8-52 (A.N.)	Aeronautical Communication Station, Bombay.	6-9-52 (A.N.)
2. Shri M. P. Atkins, Assistant Communication Officer, Aeronautical Communication Station, Bombay.	6-9-52 (A.N.)	Aeronautical Communication Station, Bagdogra.	18-9-52 (F.N.)

The 9th October 1952

**No. E(C)15-7(v)/52.**—Shri L. G. Napier, Assistant Communication Officer, Civil Aviation Training Centre, Allahabad, was granted leave on average pay for one month, combined with leave on average pay on medical certificate for two months, with effect from the 25th March, 1952.

T. P. BHALLA,  
Director General of Civil Aviation.

#### MINISTRY OF FOOD AND AGRICULTURE

##### Directorate of Marketing and Inspection

##### NOTIFICATIONS

New Delhi, the 6th October 1952

**No. F.3/68/Estt.**—Shri R. S. Srivastava, M.A., LL.B., B.Litt. (Oxon), officiating Assistant Marketing Officer, resumed charge of the office of Assistant Marketing Officer, on the 23rd September, 1952 forenoon, on return from leave.

The 10th October 1952

**No. F.3/38/Estt.**—Shri H. G. Mathur, M.Sc., Officiating Assistant Marketing Officer was granted earned leave for 11 days from the 10th September, 1952 to the 20th September, 1952 with permission to affix thereto Sunday, the 21st September, 1952. On return from leave he resume charge of the office of Assistant Marketing Officer on the 22nd September, 1952 forenoon.

It is certified that he was likely to resume charge of the post of Assistant Marketing Officer at New Delhi on the expiry of the leave, that he would have continued to officiate in the post of Assistant Marketing Officer but for his proceeding on leave and that the leave period would count towards increment in that post.

B. C. SEN,  
Deputy Agricultural Marketing Adviser  
to the Government of India.

#### Directorate of Economics & Statistics

New Delhi, the 10th October 1952

**No. F.10-74/52-Estt-ES.**—On the expiry of his leave Shri V. S. Menon, resumed charge of the post of Research Officer in the Directorate of Economics & Statistics (Ministry of Food & Agriculture) with effect from the 15th September, 1952.

**No. F.10-78/52-Estt-ES.**—On expiry of his leave Shri Ram Saran resumed charge of the post of Research Officer in the Directorate of Economics & Statistics (Ministry of Food & Agriculture) on the 3rd October, 1952.

S. R. SEN,  
Economic and Statistical Adviser.

**DIRECTOR OF PLANT PROTECTION, QUARANTINE AND STORAGE****NOTIFICATION***New Delhi, the 6th October 1952*

**No. F.16(73)/52-Adm.**—Shri Sohan Singh is appointed to officiate as Locust Transport Officer, Class II, at Jodhpur, Rajasthan, under this Directorate with effect from the 15th September 1952 (fore-noon).

H. S. PRUTHI,  
Plant Protection Adviser.

**CENTRAL EXCISE COLLECTORATE****NOTIFICATIONS***New Delhi, the 24th September 1952*

**C.No. II-10(24)48/30638.**—In continuation of this Office Notification No. 31, dated 10th September 1952 I am to request that Shri Topan Lal, Deputy Superintendent, Central Excise, (gazetted) proceeded on one month 12 days leave on average pay preparatory to retirement from 2nd March 1950 to 13th April 1950, but due to oversight the dates have been shown as 2nd March 1952 to 13th April 1952. The necessary correction may kindly be done now in the above notification.

P. S. SIAL,  
Chief Accounts Officer.

*Madras, the 29th September 1952*

**No. IVb/2/5/51-52.**—In pursuance of Rule 5 of the Central Excise Rules, 1944, I empower the Assistant Collectors of Central Excise to exercise, within their respective jurisdictions, the powers of a 'Collector' conferred by the provisions of Rule 93(b) of the Central Excise Rules, 1944, as amended by the Government of India, Ministry of Finance (Revenue Division) Notification No. 9 Central Excise dated 17th March 1951.

*Collector of Central Excise.**Allahabad, the 7th October 1952*

**No. 36.**—Shri B. L. Sawhney, a temporary Substantive Superintendent of Central Excise, Lucknow Circle, is granted following earned leave :—

- (i) 6 days from 28th April 1952 to 3rd May 1952, with permission to prefix and suffix Sundays on 27th April 1952 and 4th May 1952.
- (ii) 4 days from 26th May 1952 to 29th May 1952, with permission to prefix Sunday on 25th May 1952.
- (iii) 5 days from 9th June 1952 to 13th June 1952, with permission to prefix Sunday on 8th June 1952.

A. V. VENKATESWARAN,  
Collector.

**CENTRAL PUBLIC WORKS DEPARTMENT****NOTIFICATIONS***New Delhi, the 6th October 1952*

**No. 02453-EL.**—Mr. D. S. P. Paul, Officiating Executive Engineer 'D' Division, Central P.W.D., is granted earned leave for 92 days with effect from the 24th September 1952 afternoon.

*The 9th October 1952*

**No. 0426-E/A/0348E/A.**—Mr. I. S. Chopra, Executive Engineer, 'F' Division, Central P.W.D., New Delhi, held

charge of 'D' Division, New Delhi in addition to his own duties with effect from the afternoon of 24th September 1952 to the afternoon of 30th September 1952.

M. S. MATHUR,  
Chief Engineer.

**Civil Aviation Wing***New Delhi, the 10th October 1952*

**No. 04572-E/CAW.**—Shri S. Vaikuntam, Assistant Engineer (Electrical), attached to Aviation Electrical Sub-Division, Nagpur, was granted earned leave for 13 days with effect from 30th June 1952 F.N. to 13th July 1952 A.N. with permission to prefix Sundays the 29th June 1952 and affix 13th July 1952 to his leave on Medical certificate under Revised Leave Rules, 1933.

R. P. BARMAN,  
Chief Engineer, (AVN).

**CORRIGENDUM**

For "8th August 1952" read "9th August 1952" in Notification No. 02540-EIV, dated 4th September 1952, published on page 411 of the Gazette of India, Part III, Sec. 1, dated September 13, 1952.

**OVERSEAS COMMUNICATIONS SERVICE****NOTIFICATION***Bombay, the 6th October 1952*

**No. GG-6/33.**—The Board of Management, Overseas Communications Service, have granted earned leave to the following Officers for the periods as indicated against each :

S. No.	Name & Designation	Station	Period		No. of Days	Remarks
			From	To		
1	Shri M. S. Gharse Engineer-in-Charge (Officiating).	C.T.O. Bombay	16-4-52	3-5-52	18	Permitted to suffix Sunday on 1-5-1952.
2	Shri C. A. Parthasarathy, Engineer-in-Charge (Permanent)	Kanpur	12-7-52	15-8-52	04	Leave preparatory to retirement

On expiry of the above two periods of leave, Shri M. S. Gharse resumed charge as Officiating Engineer-in-Charge, C.T.O. Bombay, on the 5th May 1952 (Fore-noon) and 1st August 1952 (Fore-noon) respectively.

S. R. KANTEBET,  
Chairman,  
Board of Management.

**OFFICE OF THE COMMISSIONER OF INCOME-TAX****NOTIFICATIONS***Lucknow, the 29th September 1952*

**No. 176.**—Under Fundamental Rule 56(a), Shri Vishuna Nand, (Officiating) Additional Income-tax Officer, Sitapur, is, on attaining the age of 55 years on the 6th April 1952 and after availing of the four months refused leave under Fundamental Rules 86 from 7th April 1952 to the 6th August 1952 retired from service with effect from 7th August 1952.



The 3rd October 1952

**No. 173.**—Shri Balbir Singh, Income-tax Officer, Distt. III(V), Kanpur, was appointed to hold charge of Income-tax Officer, Distt. III(ii), Kanpur, in addition to his own duties, and Shri M. S. Datta, Income-tax Officer Distt. III (i), Kanpur, ceased to hold the additional charge of Distt. III(ii) Kanpur, with effect from 23rd September 1952 After Noon.

**No. 174.**—Shri A. A. Ansari, Income-tax Officer, A-Ward, Allahabad, was appointed to hold charge of Additional Income-tax Officer, A-Ward, Allahabad, in addition to his own duties with effect from 31st July 1952 After Noon.

**No. 177.**—Shri R. C. Sharma I, Income-tax Officer, F-Ward, Agra, was appointed to hold charge of Income-tax Office, A-Ward, Agra, in addition to his own duties with effect from 11th August 1952 A.N. vice Shri H. R. Chopra promoted and transferred as Appellate Assistant Commissioner of Income-tax, Meerut.

**No. 178.**—In exercise of the powers conferred by sub-section (3) of Section (5) of the Indian Income-tax Act, 1922 (XI of 1922), and the notification of the Government of India in the Home Department No. F.99/36, dated 14th April 1937, Shri K. B. Bhatnagar, Prob. Income-tax Officer, Class II Grade III, was, on transfer from Bombay, posted as Additional Income-tax Officer, District III(iv), Kanpur, with effect from 29th August 1952.

The 5th October 1952

**No. 179.**—In exercise of the powers conferred by sub-section (5) of Section 5 of the Indian Income-tax Act, 1922 (IX of 1922), I hereby direct that, with effect from 1st October 1952, the Income-tax Officer appointed for the time being to be the Income-tax Officer, Najibabad at Moradabad, shall perform all the functions of an Income-tax Officer in respect of all persons and classes of persons whose place of assessment is in Bijnor and Garhwal districts as well as in respect of all incomes or classes of incomes arising within the said area.

**No. 180.**—With reference to this office Notification No. 179 of date, Shri T. Prasad, Income-tax Officer, B-Ward, Moradabad, is appointed to be the Income-tax Officer, Najibabad, with Headquarters at Moradabad with effect from 1st October 1952.

**No. 181.**—The undermentioned officers are confirmed as Income-tax Officers (Class II grade III) in the U.P. Cadre with effect from the date noted against each :—

1. Shri Balbir Singh—1st April 1950.
2. Shri B. K. Srivastava—15th November 1950.

The 6th October 1952

**No. 182.**—Shri S. N. Singh, Additional Income-tax Officer, B-Ward, Lucknow, was appointed to hold charge of Income-tax Office, Survey Circle, Lucknow, in addition to his own duties, with effect from 2nd September 1952 afternoon.

**No. 183.**—On relief, Shri A. S. Singhal, Income-tax Officer, Survey Circle, Lucknow, was appointed to be the Additional Income-tax Officer, C-Ward, Lucknow, with effect from 2nd September 1952 afternoon.

**No. 184.**—Shri Surendra Narayan, Income-tax Officer, A-Ward, D. Dun, was appointed to hold charge of Additional Income-tax Officer, A-Ward and Income-tax Officer, C-Ward, D. Dun, in addition to his own duties, with effect from 11th September 1952 afternoon.

**No. 185.**—On relief Shri K. K. Sharma, Addl. Income-tax Officer, A-Ward and Income-tax Officer, C-Ward, D. Dun, was transferred to be the Income-tax Officer, Survey Circle, Lucknow, and Shri S. N. Singh, Addl. Income-tax Officer, B-Ward, Lucknow, ceased to hold the addl. charge of Income-tax Officer, Survey Circle, Lucknow, with effect from 15th September 1952.

**No. 186.**—Shri S. N. Nautial, Addl. Income-tax Officer, A-Ward, and Income-tax Officer, D-Ward, Lucknow, was appointed to hold charge of Income-tax Officer, A-Ward, Lucknow, in addition to his own duties, with effect from 15th September 1952 afternoon, vice Shri P. N. Sewake transferred to Calcutta.

A. C. BOSE,

Commissioner of Income-tax,  
U.P. and V.P., Lucknow.

## ORDER

Delhi, the 4th October 1952

**No. K-187(2)(a)/11357.**—Shri C. R. Mehta, Income-tax Officer, Ward No. III, Delhi is appointed as Additional Income-tax Officer, Ward No. IV, Delhi in addition to his own duties with effect from 1st October 1952.

## NOTIFICATIONS

Delhi, the 9th October 1952

**No. K-187(2)(a)/11723.**—In pursuance of sub-section (5) of Section 5 of the Indian Income-tax Act, 1922, (XI of 1922), I hereby direct that with effect from 19th April 1952 the following additions shall be made in column II against the Income-tax Officer shown in column I of the table of my original order No. K-187-(3)(a)/20, dated 17th April 1952.

## Table

Officer shown in Column I	Addition to be made in column II
Income-tax Evacuees Delhi.	Officer, Add the following after the words "All persons" Circle, "who were formerly residents of Delhi State and or whose principal place of business, profession or vocation was formerly situated in Delhi State and"

INDARJIT SINGH,

Commissioner of Income-tax  
Delhi, Ajmer, Rajasthan and Madhya Bharat.

Bombay, the 7th October 1952

**No. 77.**—Shri G. R. Mankar, (offg.) Income-tax Officer, Ward-C, Thana, was granted leave on average pay for one month from the 10th July 1952 to the 9th August 1952 with permission to affix thereto the 10th August 1952 being Sunday.

Shri R. Venkataraman, (offg.) Income-tax Officer, Ward-D, Thana, held charge of the Income-tax Officer, Ward-C, Thana, during Shri Mankar's absence on leave.

**No. 78.**—Shri K. V. Shettigara, (offg.) Income-tax Officer, Ward-D, Dharwar, was granted earned leave for 13 days from the 15th September 1952 to the 27th September 1952 with permission to affix thereto the 28th September 1952 being Sunday.

Shri A. K. Ramchandra Prabhu, (offg.) Income-tax Officer, Ward-B, Dharwar, held charge of the Income-tax Officer, Ward-D, Dharwar, in addition to his own during Shri Shettigara's absence on leave.

**No. 79.**—Shri G. J. Redkar, Income-tax Officer, Ratnagiri District, Ratnagiri, was granted earned leave for 41 days from the 30th June, 1952, to the 9th August 1952, with permission to affix thereto the 29th June 1952 and the 10th August 1952 being Sundays.

**No. 80.**—Shri K. V. Shettigara, (offg.) Income-tax Officer, D-Ward, Dharwar, was granted earned leave for 10 days from the 12th July 1952, to the 21st July 1952.

Shri G. S. Sampath, (offg.) Income-tax Officer, A-Ward, Dharwar, held charge of the Income-tax Officer, D-Ward, Dharwar, in addition to his own during Shri Shettigara's absence on leave.

H. M. PATTANAIAK,

Commissioner of Income-tax,  
Bombay South, Bombay.

## CENTRAL WATER &amp; POWER COMMISSION

(Water Wing)

## NOTIFICATIONS

New Delhi, the 6th October 1952

**No. 186/79/52-Adm.**—The services of Shri M. L. Madan, Assistant Director, Central Water & Power Commission, are temporarily placed at the disposal of Ministry of Irrigation & Power with effect from 31st July 1952 (A.N.).

The 9th October 1952

**No. 186/141/52-Admn.**—Consequent upon his selection for appointment in the Railway Board, Shri S. Ponnuswamy was relieved of his duties as Extra Assistant Director in the Central Water and Power Commission with effect from the afternoon of 4th October 1952.

The 9th October 1952

**No. 350/179/52-Admn.**—Shri Pohumal V. Kewalramani, is appointed temporarily as Assistant Engineer, on the Hirakud Dam Project with effect from 20th September 1952 (forenoon).

INDRA SEN,  
Secretary,  
for Chairman, C.W. and P. Commission.

Simla, the 13th October 1952

**No. Z-12116.**—Shri B. Chowdhury, Assistant Engineer, has been granted earned leave for 41 days with effect from the 6th October 1952, with permission to affix Sundays, the 5th October and 16th November, 1952, to his leave.

G. S. BAKSHI,  
for Chairman,  
Central Water and Power Commission,  
(Power Wing).

### DEPARTMENT OF ANTHROPOLOGY Indian Museum

#### NOTIFICATION

Calcutta, the 10th October 1952

**No. 4204.**—Dr. G. S. Mody, M.B.B.S., Anatomist, is granted earned leave for 29 days from 4th October 1952 to 1st November 1952, with permission to prefix Puja and other holidays from 25th September to 3rd October 1952 and suffix Sunday, the 2nd November 1952.

Dr. G.S. Mody, on the expiry of leave, is likely to return to duty to the same post at the same station from which he proceeded on leave.

B. S. GUHA,  
Director.

### EASTERN RAILWAY

#### NOTIFICATIONS

Calcutta the 24th September 1952

**G/Staff/226.**—Mr. R. K. Mitter, Assistant Personnel, Garden Reach was granted an extension of leave on average pay for 7 days with effect from 11th July 1952.

**No. Acctt/3.**—1. Mr. V. P. Haran, Officiating Assistant Accounts Officer was granted 54 days' leave on average pay from the 10th July, 1952 to the 1st September, 1952 (both days inclusive).

\*2. Mr. V. P. Haran has been appointed to officiate as Assistant Accounts Officer (Class II) from the forenoon of the 2nd September, 1952.

The 6th October 1952

**No. G/Offg/125.**—Mr. U. Chaturvedi, Offg. Assistant Superintendent Goods/Calcutta was granted leave on average pay for 8 days from 15th March 1952 to 22nd March 1952.

**No. G/Staff/144.**—Mr. M. S. Guzal, Assistant Superintendent Transportation Dinapore was granted leave on average pay on medical certificate for 12 days from 23rd June 1952 to 4th July 1952.

**No. AE.3908.**—Mr. A. L. Jain, Offg. Time Table Officer, Calcutta has been granted leave on average pay for 4 months with effect from 15th July 1952.

The 9th October, 1952

**No. 14/292/1C/Gaz.**—The following officiating Class II Officers of the Stores Dept. of old B.N. Rly. are confirmed in Class II cadre of that Dept. as Asstt. Controller of Stores with effect from the date noted against each :—

Sl. No.	Names	Date from which confirmed
1	Sri N. Bysack	28-9-51
2	Mr. A. E. Elkington	2-11-51.

K. B. MATHUR,  
General Manager.

### NORTHERN RAILWAY

#### NOTIFICATIONS

New Delhi, the 17th September 1952

**No. 57.**—Shri J. H. E. Solomon, a subordinate of the Transportation (Traffic) & Commercial Department, Northern Railway, is appointed to officiate in Class II service in that Department, on this Railway, with effect from 22nd August, 1952.

**No. 58.**—Shri P. N. Sud, Officiating Executive Engineer, Bridges, Northern Railway, was granted leave on average pay on medical certificate for a period of 25 days with effect from 25th July, 1952 to 18th August 1952.

**No. 59.**—Shri P. K. Mathur, a subordinate of the General Department, Northern Railway, is appointed to officiate as Assistant Anti-Corruption Officer in Class II service on this Railway with effect from 13th September, 1952 afternoon.

**No. 60.**—Shri Narain Dass, a subordinate of the General Department, Northern Railway, is appointed to officiate as Assistant Secretary to the General Manager, in Class II service on this Railway with effect from 13th September, 1952.

The 3rd October 1952

**No. 61.**—Shri D. B. Singh, Executive Engineer, ex-E.P. Railway while embodied in the Territorial Railway Units was granted leave on average pay for a period of 14 days with effect from 26th December, 1951, to 8th January, 1952.

**No. 62.**—Shri Arya Bhushan, Officiating Executive Engineer, Northern Railway, is granted leave on average pay for a period of 11 days with effect from 15th September, 1952, with permission to prefix Sunday, the 14th September, 1952.

The 6th October 1952

**No. 64.**—Shri B. S. Mathur, Officiating Divisional Transportation Officer, Northern Railway, retired from Railway service with effect from 18th September, 1952, forenoon.

KARNAIL SINGH,  
General Manager.

### CENTRAL RAILWAY

#### NOTIFICATIONS

Bombay, the 6th October, 1952

**No. 21230-RA/212.**—The following officers, who were appointed as Probationers in the Stores Department of the Superior Revenue Establishment of the Indian Railways, are confirmed as Assistant Controller of Stores (Junior Scale) with effect from the dates shown against each :—

Name	Date from which confirmed
Mr. D. Solomon	13-2-1951.
Mr. N. M. Shah	6-11-1951.

*The 9th October 1952*

**No. 21620-R/439.**—Mr. N. S. A. Iyengar, Electrical Foreman has been appointed to officiate as Assistant Electrical Engineer (Class II) with effect from 11th August 1952.

Mr. E. M. Greig, Assistant Transportation Superintendent (Junior Scale) has been appointed to officiate as Assistant Transportation Superintendent (Senior Scale) with effect from 16th August 1952.

Mr. N. L. Deshmukh, Assistant Executive Engineer (Junior Scale), on return from leave, has been appointed to officiate as Divisional Engineer (Senior Scale) with effect from 21st August 1952.

Mr. M. Thomas, Senior Accountant has been appointed to officiate as Assistant Accounts Officer (Class II), with effect from 30th August 1952.

Mr. S. A. Srinivasan, Assistant Signal Engineer (Junior Scale), on return from leave, has been appointed to officiate as Signal Engineer (Senior Scale) with effect from 3rd September, 1952.

Mr. V. U. Shenai, Assistant Signal Engineer (Junior Scale) has been granted 48 days leave on average pay with effect from 3rd September 1952.

Dr. F. L. Jain, Assistant Medical Officer (Class II) has been granted 45 days leave on average pay with effect from 3rd September 1952.

Dr. T. F. Macedo, Assistant Surgeon Grade I has been appointed to officiate as Assistant Medical Officer (Class II) with effect from 3rd September 1952.

Mr. V. D. Jog, Assistant Transportation Superintendent (Junior Scale) was granted 13 days leave on average pay with effect from 8th September, 1952.

Mr. N. S. Kudva, Chief Clerk, office of the Chief Mechanical Engineer, has been appointed to officiate as Assistant Personnel Officer (Class II), Mechanical Department, with effect from 14th September, 1952.

**H. P. HIRA,**  
*General Manager.*

## WESTERN RAILWAY

### NOTIFICATIONS

*Bombay, the 9th October 1952*

**No. E.434/11/225.**—Mr. E. G. R. Hixon, Compilation Officer, (Class II), proceeded on leave on average pay for 60 days with effect from 1st September 1952.

**No. E.434/11/226.**—Mr. A. Arango, Chief Clerk, (Class III), has been appointed to officiate as Compilation Officer, (Class II), with effect from 1st September 1952.

**No. E.434/11/227.**—Mr. S. P. Haran, Officiating Asstt. Publicity Officer, (Class II), has been confirmed as Asstt. Publicity Officer, (Class II), with effect from 1st September 1949.

**No. E.434/11/228.**—Mr. L. D'Souza, Offg. Headquarter Personnel Officer, (Senior Scale), reverted as Offg. Asstt. Personnel Officer (Class II), with effect from the afternoon of 12th August 1952.

**No. E.434/11/229.**—Mr. M. A. M. Patell, Offg. Asstt. Controller of Grainshops (Class II), reverted to his substantive post of Clerk (Class III), consequent on availing himself of leave on average pay for 60 days with effect from 11th June 1952. He returned from leave and resumed duty on the afternoon of 9th August 1952 and has been appointed to officiate as Asstt. Controller of Grainshops (Class II), from that date.

**No. E.434/11/230.**—Mr. J. R. Rao, Offg. P.A. to Controller of Grainshops (Class III) was appointed to officiate as Asstt. Controller of Grainshops (Class II), for the period from 25th December 1951 to 30th April 1952, and again from 17th June 1952 to 9th August 1952. He reverted as Offg. P.A. to Controller of Grainshops, (Class III), from the afternoon of 9th August 1952.

**No. E.434/11/231.**—Mr. P. D. Mathur, Senior Accountant (Class III), has been appointed to officiate as Asstt. Accounts Officer (Class II) with effect from the afternoon of 11th August 1952.

**No. E.434/11/232.**—Mr. P. C. Gupta, Probationer, Indian Railway Accounts Service has been posted against a working post of Junior Accounts Officer (Class I), with effect from 16th July 1952.

**No. E.434/11/233.**—Mr. Bhagwan Singh, Offg. Asstt. Accounts Officer, (Class II), reverted as Offg. Senior Accountant, (Class III), from the afternoon of 4th August 1952.

**No. E.434/11/234.**—Mr. H. J. D'Souza, Chief Cashier, (Class II), has been appointed to officiate as Chief Cashier in the Senior Scale with effect from 5th May 1952.

**No. E.434/11/235.**—Mr. N. K. Mehra, Offg. Executive Engineer, (Senior Scale), reverted to his substantive post of Asstt. Engineer, (Junior Scale), consequent on his proceeding on leave on average pay for 62 days with effect from 23rd July 1952.

**No. E. 434/11/236.**—Mr. K. Ganapathy, Asstt. Engineer (Junior Scale), proceeded on 2 months' Study Leave with effect from 8th August 1952.

**No. E.434/11/237.**—Mr. N. C. Iyer, Electrical Foreman (Class III), has been appointed to officiate as Asstt. Electrical Engineer (Class II) with effect from 4th August 1952.

**No. E.434/11/238.**—Mr. R. J. Batliwala, Offg. Divisional Electrical Engineer (Senior Scale), reverted to his substantive post of Assistant Electrical Engineer, consequent on availing himself of leave on average pay for 11 days with effect from 4th August 1952. He returned from leave and resumed duty on 14th August 1952 and has been appointed to officiate as Electrical Engineer (Senior Scale), from that date.

**No. E.434/11/239.**—Dr. D. R. Malhotra, Chemist and Metallurgist (Senior Scale), availed himself of 3 months and 17 days privilege leave with effect from 10th April 1952. He returned from leave and resumed duty on 28th July 1952, as 27th July 1952 was Sunday.

**No. E.434/11/240.**—Mr. Murlidhar, Offg. Chemist & Metallurgist (Class II), reverted to his substantive post of Senior Chemical Assistant (Class III), with effect from 27th July 1952.

**No. E.434/11/241.**—Mr. L. H. Dunning, Offg. Carriage Works Manager, (Senior Scale), reverted as Offg. Asstt. Carriage Works Manager (Class II), with effect from 27th July 1952.

**No. E.434/11/242.**—Mr. J. J. Misra, Offg. Chief Draftsman, (Class III), has been appointed to officiate as Asstt. Mechanical Engineer (Class II), with effect from 16th July 1952.

**No. E.434/11/243.**—Mr. D. R. Roy, Asstt. Mechanical Engineer, (Junior Scale), has been appointed to officiate as Production Engineer, (Senior Scale), with effect from 4th August 1952.

**No. E.434/11/244.**—Mr. Bhagwandas M. General Foreman, (Class III), has been appointed to officiate as Asstt. Mechanical Engineer (Class II), with effect from 30th July 1952.

**No. E.434/11/245.**—Mr. J. E. Castellino Supdt. Genl. (Senior Scale), availed himself of leave on average pay for 60 days with effect from 2nd June 1952. He returned from leave and resumed duty on 1st August 1952.

**No. E.434/11/246.**—Mr. Janakiraman, Offg. District Traffic Superintendent (Senior Scale), reverted to his substantive post of Asstt. Traffic Superintendent, (Junior Scale), consequent on availing himself of leave on average pay for 61 days with effect from 1st May 1952. He returned from leave and resumed duty on 1st July 1952. He has, again, been appointed to officiate as Dist. Traffic Supdt., (Senior Scale), with effect from that date.

**No. E.434/11/247.**—Mr. A. P. Athaide, Offg. Asstt. Controller of Stores (Class II), reverted to his substantive post of Depot Store Keeper (Class III), with effect from 12th July 1952. He has been appointed to officiate as Asstt. Controller of Stores, (Class II), with effect from 4th August 1952.

**No. E.434/11/248.**—Mr. V. N. Agharkar, Offg. District Controller of Stores (Senior Scale), has been confirmed as Asstt. Controller of Stores (Class I), (Junior Scale), with effect from 17th January 1952. (Rly. Bd's letter No. E50RC1-89 dated 18th June 1952).

**No. E.434/11/249.**—Mr. B. C. Chowdiah, Asstt. Controller of Stores (on probation), has been confirmed as Asstt. Controller of Stores (Class I), (Junior Scale), with effect from 22nd November 1951. Rly. Board's letter No. E50 RC1-89 dated 18th June 1952.)

**K. P. MUSHRAN,**  
*General Manager.*

**CHITTARANJAN LOCOMOTIVE WORKS****NOTIFICATION**

*Chittaranjan, the 7th September 1952*

No. GMA/GS/55.—Mr. S.S. Jagota, Works Manager (M), Chittaranjan Locomotive Works, Chittaranjan, was granted 10 days leave on average pay from 21st July 1952 to 30th July 1952 on medical grounds.

N. N. MAJUMDAR,  
*General Manager.*

**PUBLIC SERVICE COMMISSION, BIHAR****Advertisement No. 66**

Secretary, Bihar Public Service Commission, 15 Bayley Road, Patna, invites applications on or before the 10th

November 1952 on the prescribed form, which along with full particulars can be obtained from him, for the permanent post of a Professor of Mechanical Engineering for the Bihar Institute of Technology, Sindri, in the scale of pay of Rs. 800—35—1,150. A higher initial pay admissible. Candidates must have (a) a good degree in Mechanical Engineering; (b) teaching experience of not less than five years in Mechanical Engineering subjects in an Institution of University standard; (c) research experience with publications to their credit in some field of Mechanical Engineering with ability to guide junior research workers. Unless already in Government service candidates must not be over 45 years on 1st August, 1952.

R. K. CHAUDHURI,  
*Secretary.*

